

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DAVID FREEMAN,
 Petitioner,

v.

JOHN E. WETZEL, et al.
 Respondents.

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CIVIL ACTION

NO. 13-cv-3653

ORDER

AND NOW, this 22nd day of October, 2013, upon careful and independent consideration of the petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, and after review of the Report and Recommendation of United States Magistrate Judge Lynne A. Sitarski, IT IS ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED.
2. The petition for writ of habeas corpus be STAYED and held in ABEYANCE while Petitioner litigates his PCRA petition in the state courts.
3. Petitioner and Respondents shall notify the District Court within thirty days of the conclusion of Petitioner's state proceedings and inform the Court of the status of Petitioner's habeas petition.

BY THE COURT:

/s/ **Legrome D. Davis**

LEGROME D. DAVIS, J.